

REGULAR TOWN BOARD MEETING
FEBRUARY 10, 2015

PUBLIC COMMENTS:

None.

REPORT: TOWN CLERK

Refer to written report.

REPORT: HIGHWAY DEPARTMENT

In addition to his written report, Highway Superintendent Brian Coddington reported that his department has been kept busy with vehicle maintenance, snow removal, and maintaining salt and sand supplies. He added that 1,000 tons of sand and 300 tons of salt were mixed, adding that several loads of salt were taken to the school.

Mr. Coddington stated that he met with Mark Smarr from PESH (Public Employee Safety and Health) for a safety inspection. Mr. Finch asked if Mr. Coddington invited the PESH representative to inspect the Town's facility and Mr. Coddington stated that he did invite the inspector to examine the Town Highway Garage.

Mr. Dumian asked Mr. Coddington if the DEC (New York State Department of Environmental Conservation) had contacted him regarding the Town putting fill in the Corbettsville Creek, and Mr. Coddington stated that he had not been contacted by the DEC. Mr. Finch stated that a resident in the Corbettsville area had complained about the fill.

Mr. Bullock asked about the issue of people parking on the streets when the Highway Department is trying to plow snow. Parking on the street at such times is prohibited by Town Law. Town Counsel Cheryl Sacco stated that the Code Officer is the only person who can issue tickets for these violations. Mr. Finch stated that the Town does not want to pay Code Officer Ron Lake \$30 per hour to issue parking tickets. Ms. Sacco stated that the Town Board would have to broaden the law to allow a different person, perhaps an appointed Deputy Code Officer, to issue tickets. She stated that she will research this issue.

REPORT: WATER & SEWER DEPARTMENT

In addition to his written report, Public Works Superintendent Tom DeLamarter reported that his department had repaired a water main break on Grandview Avenue, cleared snow from fire hydrants throughout the Town, and had almost finished the quarterly water meter readings. He stated that the transmission is not working in the 2006 truck and added that he is getting quotes for the repair work for it. Mr. DeLamarter stated that he is also getting prices on a new plow for the other Parks truck.

Mr. DeLamarter stated that a resident complained of having no water but added that the problem is not with the Town water supply and must therefore be either a frozen line or a broken pipe. He stated that he and the owner are working to try to figure out the cause of the problem. Mr. Finch stated that some of the Town of Kirkwood wells have gone bad and the Town of Kirkwood is interested in running a line and purchasing water from the Town of Conklin to supply the area near Frito-Lay.

REGULAR TOWN BOARD MEETING
FEBRUARY 10, 2015

REPORT: CODE OFFICER

Refer to written report. Mr. Finch stated that the Fill Permit application for 980-982 Conklin Road has been denied.

RESO 2015-26: AUTHORIZE YEARLY PERMITS/MOBILE HOME PARKS

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes issuance of yearly permits to the following mobile home parks, pending receipt of an annual permit fee of \$200: Fountain Bleau Mobile Home Park, Blue Ridge, LLC, and Pride Park Holdings, LLC.

Seconded by Mr. Francisco.

VOTE: Bullock – Yes, Boyle – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

REPORT: SUPERVISOR'S OFFICE

Refer to written report. In addition, Mr. Finch stated that demolitions on houses in the Flood Buyout program would begin again on February 16, weather permitting.

PENALTIES ON DELINQUENT WATER & SEWER BILLS

Ms. Sacco stated that New York State Town Law states that municipalities can only charge 10% late fees on delinquent water and sewer bills. She stated that the Town can utilize the shut-off procedure if the payment is delinquent more than 60 days after its due date, providing written notice has been issued. She stated that the Town must determine who owes delinquent bills and whether or not written notice has been given, and then must decide whether or not to utilize the shut-off procedure.

OLD BUSINESS:

UPDATE/NYS RISING COMMUNITY GRANT

Mr. Finch stated that there will be a meeting on February 11, at 2:15 P.M., with members of the NYS Rising Community Grant Committee. Ms. Sacco stated that the resolution for the Selection Committee must be amended a second time to remove the timeline dates. It was noted that the Rising Community Committee is reviewing the RFQ (Request for Quotes) documents.

RESO 2015-27: APPOINTMENT OF SELECTION COMMITTEE

Mr. Dumian moved for the following resolution:

WHEREAS, the Town of Conklin, located in Broome County, New York, will apply for Community Development Block Grant-Disaster Recovery ("CDBG-DR") funds from the New York State Governor's Office of Storm Recovery ("GOSR"), NY Rising Community Reconstruction ("NYRCR") Program for the Stillwater Road Storm Water improvements Project ("the Project"); and,

REGULAR TOWN BOARD MEETING
FEBRUARY 10, 2015

WHEREAS, it is necessary under the program regulations to authorize certain actions and individuals to perform certain designated functions by the CDBG-DR, GOSR, NYRCR Program; and,

WHEREAS, the project to be applied for under the CDBG-DR funds from the GOSR, NYRCR Program will require the procurement of architectural/engineering services for the Project. The Project will include the construction of a new storm water drainage system along a section of Stillwater Road to mitigate flooding in the Town of Conklin, County of Broome, State of New York; and,

WHEREAS, the procurement process requires a selection committee to be designated to review and recommend to the Town of Conklin the professional architectural/engineering firms most qualified to perform the duties as required;

NOW, THEREFORE BE IT RESOLVED, that the Town of Conklin, as legal recipient of CDBG-DR funds from the GOSR, NYRCR Program, does hereby appoint the following persons as the Professional Services Selection Committee:

Hal Cole, Jim Hauss, Dan Smith, Jim Finch and Tom DeLamarter

BE IT FURTHER RESOLVED by the Town of Conklin that the following point system for architect/engineers be used as the basis for selecting the design services for the proposed project; **(100 points maximum)**

- | | |
|--|----------------------------|
| 1. Respondent's Overall Experience | (25 points maximum) |
| i. Excellent experience | (21-25 points) |
| ii. Good experience | (16-20 points) |
| iii. Fair experience | (11-15 points) |
| iv. Poor experience | (0-10 points) |
| 2. Approach and Methodology | (25 points maximum) |
| i. Excellent approach and methodology | (21-25 points) |
| ii. Good approach and methodology | (16-20 points) |
| iii. Fair approach and methodology | (11-15 points) |
| iv. Poor approach and methodology | (0-10 points) |
| 3. Proposed Staffing Plan | (20 points maximum) |
| i. Excellent staffing plan | (16-20 points) |
| ii. Good staffing plan | (10-15 points) |
| iii. Fair staffing plan | (5-9 points) |
| iv. Poor staffing plan | (0-4 points) |
| 4. Conformance with the Town's Timeline | (20 points maximum) |
| 5. Commitment to comply with all applicable Federal, State, and Local Regulations, including M/WBE and Section | (10 points maximum) |

The selection of the finalists to be interviewed, if any is required, will be based on an evaluation of the written responses. The award will be made to the most qualified offerer whose qualification statement is deemed most advantageous to the community, all factors considered. Unsuccessful offerers will be notified as soon as possible,

TOTAL POINTS. FOR REQUIRED AND OPTIONAL CONSIDERATION 100 PTS

BE IT ALSO RESOLVED that the selection of these services be advertised one time in the official Town newspaper, the local metro newspaper, and the New York Contract Reporter and that the selection thereafter be scheduled in accordance with the applicable rules, regulations, and requirements.

Passed and adopted by the Town of Conklin, County of Broome, State of New York, on the 10th

REGULAR TOWN BOARD MEETING
FEBRUARY 10, 2015

day of February, 2015, by the following votes:

YEAS: 5

NAYS: 0

ABSTAINED: 0

Seconded by Mr. Francisco.

VOTE: Bullock – Yes, Boyle – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

I, Sherrie L. Jacobs, Town Clerk, Town of Conklin, New York, do hereby certify that the above is a true and correct copy of the RESOLUTION duly passed and adopted by the Town of Conklin, County of Broome, State of New York, on the 10th day of February, 2015.

ATTEST:

James Finch, Town Supervisor

Sherrie L. Jacobs, Town Clerk

560 CONKLIN ROAD

Mr. Finch stated that CP Rail looked at the building located at 560 Conklin Road and agreed with the Town that it is unsafe and an eyesore. The railroad company wondered if there may be fuel storage tanks underground at the site. The Town provided CP Rail with the phone numbers for three contractors who perform demolition work. Mr. Finch stated that it is now up to the railroad company to proceed.

TIME WARNER CABLE FRANCHISE CONTRACT

Ms. Sacco stated that there has been no progress on the renewal of the franchise contract with Time Warner Cable, adding that the Towns of Kirkwood, Maine, and Vestal are also waiting for progress on their contracts. She stated that Time Warner Cable's merger with Comcast has put all of the contracts "on hold."

DEMOLITION UPDATE

Assistant to the Supervisor Lisa Houston stated that the forms have been signed and the final draw on 14 properties has been sent to Albany, with \$130,000 being paid to the Town from FEMA (Federal Emergency Management Agency). She stated that the quarterly report has been filed and stated that SEMO (State Emergency Management Office) is pleased with Conklin's progress. Mr. Finch reiterated that demolition will begin again on February 16 if the weather improves. Ms. Sacco stated that there are twelve properties pending for demolition. She stated that Mr. Slater's property on Conklin Road is on hold because it is part of an estate. Ms. Sacco stated that there is another property on the list which is part of an estate for which there is no heir. She stated that eight properties are awaiting a closing, and two are "in limbo."

NEW BUSINESS:

REGULAR TOWN BOARD MEETING
FEBRUARY 10, 2015

2014 AUDIT

Ms. Houston reported that the auditing firm of Vieira & Associates is conducting its annual audit of the Town's finances, as well as an audit of the FEMA Buyout Program paperwork.

2015 LANDFILL PAYMENT

Ms. Houston reported that the 2015 payment to Broome County for the Town Landfill will be paid on February 11.

RESO 2015-28: RATIFY PAYMENT/PITNEY BOWES/POSTAGE METER REFILL

Mr. Dumian moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies an ACH wire payment, account code A1670.4, in the amount of \$500 to Pitney Bowes for a refill of the postage meter.

Seconded by Mr. Boyle.

VOTE: Bullock – Yes, Boyle – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

RESO 2015-29: RATIFY PAYMENT/A.C. MOORE/BUILDING DECORATIONS

Mr. Boyle moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #8787, account code A1620.4, in the amount of \$91.95 to A. C. Moore for miscellaneous building decorations.

Seconded by Mr. Francisco.

VOTE: Bullock – Yes, Boyle – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

RESO 2015-30: AUTHORIZE PAYMENT/BILL LIST/\$334,866.51

Mr. Francisco moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin authorizes payment of the following Bill List in the total amount of \$334,866.51:

General	\$ 41,689.65
Highway	37,658.35
Fire Protection	251,895.00
Sewer District #1	132.00
Water District	<u>3,491.51</u>
Total	\$334,866.51

Seconded by Mr. Dumian.

REGULAR TOWN BOARD MEETING

FEBRUARY 10, 2015

VOTE: Bullock – Yes, Boyle – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

RESO 2015-31: RATIFY PAYMENT/GYMO, DPC, INC./AIR MONITORING SERVICES/9 & 11 MACGEORGE STREET BUYOUT PROPERTIES

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin ratifies payment of check #8850, account code HA8760-4, in the amount of \$970.00 to GYMO, DPC, Inc., for air monitoring services for 9 and 11 MacGeorge Street Buyout properties.

Seconded by Mr. Boyle.

VOTE: Bullock – Yes, Boyle – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

RESO 2015-32: APPROVE TOWN CLERK/ATTEND NYSTCA CONFERENCE/ APRIL 26-29, 2015/ROCHESTER, NEW YORK

Mr. Bullock moved for the following resolution:

Be It Resolved: that the Town Board of the Town of Conklin approves Town Clerk Sherrie Jacobs to attend the New York State Town Clerks Association Conference to be held April 26-29, 2015, in Rochester, New York, with all necessary expenses.

Seconded by Mr. Francisco.

VOTE: Bullock – Yes, Boyle – Yes, Dumian – Yes, Francisco – Yes, Finch – Yes. Motion passed unanimously.

PENDING LOCAL LAWS

Ms. Sacco asked that the Town Board review the pending local laws which she has distributed and be ready to discuss them at the February 24 Work Session. She stated that the Zoning Board of Appeals has asked that the Town Board not remove the “neighbor notice” from the required notifications. Ms. Sacco stated that this “neighbor notice” is currently not required by Town Law. She stated that the Board needs to be consistent with its notifications, and should bill the applicant for notification costs. The pending local laws include: notification requirements, professional fees, manufactured homes designation, and creation of a P.U.D. (Planned Unit Development). Mr. Finch commented that flat-roofed trailers are only allowed in mobile home parks.

MEDICAL BENEFITS/TOWN OF CONKLIN EMPLOYEES

Mr. Dumian stated that he would like the Board to research the possibility of offering more than one plan for medical benefits to Town of Conklin employees, rather than the “one size fits all” plan currently offered. He emphasized that he does not want to take away the current plan being offered to the employees, but rather would like to see other options as well. He stated that this has the potential to save money for both the Town and the employees, depending upon which plan they opt to use. Mr. Finch stated that the Town could discuss this with Town insurance representative Tom Augustini.

REGULAR TOWN BOARD MEETING

FEBRUARY 10, 2015

MORE DISCUSSION ON NOTIFICATION REQUIREMENTS

Mr. Francisco returned to the topic of notification requirements, stating that the Zoning Board of Appeals is concerned with notification for residents of Conklin, but the current requirements state that the Town must also notify the Town of Kirkwood if the site in question is located on the Susquehanna River, which is the boundary between the two towns. He stated that the current Town Law lists four different distances for notification requirements, adding that the Town needs to be consistent. The question of the use of placards was again discussed. Mr. Francisco stated that there is “no perfect solution.” He stated that the goal is to save money for the Town and still make information available for residents. Ms. Sacco reiterated that the Zoning Board of Appeals “neighbor notifications” are courtesy notifications and are not currently required by Town Law.

LIST OF PROPERTIES DELETED FROM SEWER BOND

Mr. Finch stated that Ms. Houston had requested a list from the Broome County Real Property Tax Service of properties that have been deleted from the sewer bond. He added that the Town is checking to see which property owners should be paying on the bond that are not currently doing so.

PUBLIC COMMENTS:

None.

There being no further business to come before the Board, Mr. Dumian moved for adjournment, seconded by Mr. Francisco. The meeting adjourned at 6:43 P.M.

Respectfully submitted,

Sherrie L. Jacobs
Town Clerk

